

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN ROGER SOMERVILLE**, on March 9, 2001 at 3:00 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Roger Somerville, Chairman (R)
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)
Rep. Carol C. Juneau, Vice Chairman (D)
Rep. Darrel Adams (R)
Rep. Joe Balyeat (R)
Rep. Debby Barrett (R)
Rep. Ronald Devlin (R)
Rep. Dave Gallik (D)
Rep. Steven Gallus (D)
Rep. George Golie (D)
Rep. Donald L. Hedges (R)
Rep. Jim Keane (D)
Rep. Gary Matthews (D)
Rep. William Price (R)
Rep. Allen Rome (R)
Rep. Frank Smith (D)
Rep. Donald Steinbeisser (R)
Rep. Karl Waitschies (R)

Members Excused: None.

Members Absent: None.

Staff Present: Donna Huffman, Committee Secretary
Leanne Kurtz, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 380, SB 318, SB 300,
03/09/01.

Executive Action: SB 152, SB 300, SB 318,
SB 380.

HEARING ON SB 380

Sponsor: Senator Walter L. McNutt, SD 50.

Proponents: Barry Stang, Montana Motor Carriers Association; Dave Galt, Director of Montana Department of Transportation.

Opponents: none.

Informational Witnesses: none.

Opening Statement by Sponsor:

Senator McNutt said SB 380 is an act that revises gross vehicle weight fees and puts length limits on triple trailer truck configurations. Under current law, lengths are restricted to 110 feet overall. This bill limits the length of the trailers to 95 feet. The way the tax for GVW is now, the tax is on the tractor or power unit. There was a special class for triples, and this bill eliminates that class so they will be taxed the same as all other motor carrier operators, or commercial operations.

Proponents' Testimony:

{Tape : 1; Side : A; Approx. Time Counter : 11.9}

Barry Stang said MMCA supports SB 380. This bill makes two changes to Montana law. First, it eliminates a class of GVW fees that only these carriers are required to pay. Second, this bill makes a change in overall length. These length limits require triples carriers to buy special power units just for pulling three trailers. A simple solution is to move to a combined trailer length of 95 feet and forget the overall length limit.

EXHIBIT (trh54a01).

Dave Galt said MDT supports SB 380 which does two things, changes the length and changes the fees and does impact the states highway fund.

Opponents' Testimony: none.

Questions from Committee Members and Responses: none.

Closing by Sponsor:

{Tape : 1; Side : A; Approx. Time Counter : 19.1}

Senator McNutt said this is a simple bill and asked a Do Pass.

EXECUTIVE ACTION ON SB 380

Motion/Vote: REP. GALLUS moved that SB 380 BE CONCURRED IN.
Motion carried 18-0.

Rep. Wanzenried will carry SB 380 to house.

HEARING ON SB 318

Sponsor: Senator Pete Ekegren, SD 44.

Proponents: Dave Galt, Director of Montana Department of Transportation.

Opponents: none.

Informational Witnesses: none.

Opening Statement by Sponsor:

{Tape : 1; Side : A; Approx. Time Counter : 20.6}

Senator Ekegren said Montana Grain Growers also supports SB 318. This bill is an act eliminating the speed limit of 40 miles per hour for agriculture vehicles being operated on highways during the harvest season. This is for grain trucks within the 50 miles radius of the farm.

Proponents' Testimony:

Dave Galt said MDT supports this bill. It affects trucks, that during harvest, are allowed to be overweight, when this bill was originally passed, at the 40 m.p.h speed limit. He urged a Do Concur.

Opponents' Testimony: none.

Questions from Committee Members and Responses:

Rep. Gallus told **Senator Ekegren** there was another bill that is similar to this bill. The radius was 100 miles instead of 50, and to increase from 7% to 10% the amount by which certain vehicles may exceed weight limits without incurring penalties. He asked if he would be opposed to an amendment. **Senator Ekegren** said he would not be opposed to that.

Rep. Balyeat asked **Mr. Galt** if they changed this to 100 miles, if he would object. **Mr. Galt** did not object.

Closing by Sponsor:

He would appreciate a Do Pass.

HEARING ON SB 300

Sponsor: Senator Ric Holden, SD 1.

Proponents: Dave Galt, Director of Montana Department of Transportation; Nancy Schlepp, Montana Farm Bureau; Riley Johnson, NFIB; Barry Stang, Montana Motor Carriers Association.

Opponents: none.

Informational Witnesses: none.

Opening Statement by Sponsor:

{Tape : 1; Side : B; Approx. Time Counter : 0.3}

Senator Holden said this bill would allow the Governor of the State of Montana the authority to lift the weight limits on trucks during emergency situations, or during an emergency situation which may involve harvests, as it pertains to agriculture. He said, for example, there was a large amount of fires in Western Montana; unfortunately, when fire trucks were responding to those fires, some of the trucks had to dump their water because they were overweight, before they could travel down the roads. This legislation would lift those weight limits for a certain amount of time, in a certain area, to take care of an emergency situation.

Proponents' Testimony:

Dave Galt said this bill would provide an additional tool at times of emergency to address that emergency.

Nancy Schlep said the Montana Farm Bureau, Montana Grain Growers, Montana Stock Growers, Montana Wood Products and Montana Logging Association supports SB 300.

Riley Johnson said they support SB 300.

Barry Stang said they support SB 300.

Opponents' Testimony: none.

Questions from Committee Members and Responses:

Rep. Gallik asked **Senator Holden** to clarify what "other occurrences" means on Lines 22, 23, and 25 of the bill. **Senator Holden** said such as, civil unrest or possibly a riot, in some cases.

{Tape : 1; Side : B; Approx. Time Counter : 11.6}

Rep. Smith asked **Senator Holden** if this bill would be for county roads also. **Senator Holden** said yes, it would be determined by the county commissioners.

Closing by Sponsor:

Senator Holden stated there are several agricultural organizations that support this bill. He urged a Do Concur.

EXECUTIVE ACTION ON SB 300

Motion/Vote: REP. ADAMS moved that SB 300 BE CONCURRED IN. Motion carried 15-3 with Juneau, Keane, and Smith voting no.

Rep. Hedges will carry SB 300 to House.

EXECUTIVE ACTION ON SB 318

Motion: REP. ADAMS moved that SB 318 BE CONCURRED IN.

Motion: REP. GALLUS moved that CONCEPTUAL AMENDMENT FOR SB 318 DO PASS.

Discussion:

Leanne Kurtz explained amendment #SB031801.alk.

EXHIBIT(trh54a02).

Rep. Gallus said this amendment would extend the 50 mile radius from the harvested field to 100 miles. Also, delete the language of weight limitations of 7%, or 10% for garbage trucks and insert 10% for all vehicles.

Motion/Vote: REP. DEVLIN moved that SB 318 BE CONCURRED IN AS AMENDED. Motion carried 18-0.

Rep. Pattison will carry SB 318 to House.

{Tape : 2; Side : A; Approx. Time Counter : 0.6}

EXECUTIVE ACTION ON SB 152

Motion: REP. DEVLIN moved that SB 152 BE CONCURRED IN.

Leanne Kurtz explained amendment #SB015201.alk requested by Rep. Gallik. **EXHIBIT**(trh54a03).

Motion/Vote: REP. GALLIK moved that AMENDMENT FOR SB 152 #SB015201.ALK BE CONCURRED IN. Motion failed 7-11 with Gallik, Gallus, Golie, Juneau, Keane, Smith, and Waitschies voting aye.

Leanne Kurtz explained amendment #SB015201.alk requested by Rep. Juneau. **EXHIBIT**(trh54a04). Page 2, Line 12, Following "state", Insert "tribal".

Motion/Vote: REP. JUNEAU moved that CONCEPTUAL AMENDMENT #SB015202.ALK BE CONCURRED IN. Motion carried 18-0.

Motion/Vote: REP. DEVLIN moved that SB 152 BE CONCURRED IN AS AMENDED. Motion carried 16-2 with Gallik and Waitschies voting no.

Rep. Devlin will carry SB 152 to House.

ADJOURNMENT

Adjournment: 4:45 P.M.

REP. ROGER SOMERVILLE, Chairman

DONNA HUFFMAN, Secretary

RS/DH

EXHIBIT (trh54aad)